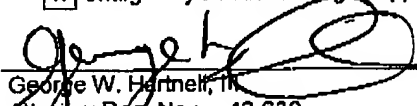
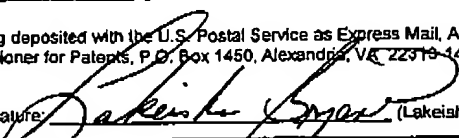


AMENDMENT TRANSMITTAL LETTER				Docket No. 55,185 (41371)	
Application No. 09/910,256-Conf. #2955		Filing Date July 20, 2001		Examiner K. Abdi	
				Art Unit 3621	
Applicant(s): Oliver T. Althoff et al.					
Invention: CHECKOUT SYSTEM FOR ON-LINE, CARD PRESENT EQUIVALENT INTERCHANGES					
TO THE COMMISSIONER FOR PATENTS					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	37	- 37 =		x	
Independent Claims	3	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify): Extension for response within third month					1,020.00
Petitions requiring the petition fee set forth in 37 CFR 1.17 (g) (Group II)					130.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					1,150.00
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity					
<input type="checkbox"/> No additional fee is required for this amendment.					
<input checked="" type="checkbox"/> Please charge Deposit Account No. <u>04-1105</u> in the amount of \$ <u>1,150.00</u> A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>04-1105</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
 George W. Harnett, III Attorney Reg. No.: 42,639				Dated: <u>November 2, 2005</u>	
EDWARDS ANGELL PALMER & DODGE LLP P.O. Box 55874 Boston, Massachusetts 02205 (617) 439-4444					
Certificate of Express Mailing I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. <u>EY711312896US</u> in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22319-1450, on the date shown below. Dated: November 2, 2005 Signature:  (Lakeisha Bryant)					

PTO/SB/17 (12-04v2)

Approved for use through 7/31/2008. OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2005		Complete if Known Application Number 09/910,256-Conf. #2955 Filing Date July 20, 2001 First Named Inventor Oliver T. Althoff, et al. Examiner Name K. Abdi Art Unit 3621 Attorney Docket No. 55,185 (41371)	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT (\$) 1,150.00			

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: 04-1105 Deposit Account Name: Edwards Angell Palmer & Dodge LLP
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
37	- 37 =	x	=			
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
3	- 3 =	x	=			

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)	1,020.00
Other (e.g., late filing surcharge): 1253 Extension for response within third month	130.00
1484 Petitions requiring the petition fee set forth in 37 CFR 1.17 (a) (Group II)	

SUBMITTED BY		Registration No. 42,639	Telephone (817) 439-4444
Signature		(Last name, first initial)	
Name (Print Type)	George W. Hartnell, III	Date	November 2, 2005

Certificate of Express Mailing

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV711312896US, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-7450, on the date shown below.

Dated: November 2, 2005

Signature:

 (Lakeisha Bryant)

Edwards & Angell LLP

101 Federal Street Boston, MA 02110 617.439.4444 fax 617.439.4170

Mail to P.O. Box 55874
Boston, MA 02205

George W. Hartnell, III
617.517.5523
fax 617.439.4170
ghartnell@EdwardsAngell.com

July 12, 2005

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Mr. Michael J. Abbott
39 Dabney Road
New Canaan, CT 06840

Certified Article Number

7106 4575 1294 2759 2345

SENDERS RECORD

Re: Althoff, et al.
U.S.S.N. 09/910,256
Title: *Check-Out System for On-line,
Card Present Equivalent Interchanges*
Our Reference No.: 55,185 (41371)

Dear Mr. Abbott:

I am writing to you concerning the above-referenced patent application for which you are a named inventor. As you may recall, the application was originally filed by and assigned to Fleet Credit Card Services, which has since merged with Bank of America. We have received a Final Office Action from the Patent Office rejecting all claims as being anticipated by a published patent application to Harrison. Copies of the Final Office Action and the Harrison reference are enclosed for your reference.

To overcome the Harrison reference cited by the Examiner, we can "swear behind" the earliest filing date of the reference by filing a Declaration under 37 CFR § 1.131 (the "Declaration") signed by the inventors to establish prior conception and due diligence between the conception date and the filing date of the application with the Patent Office.

Accordingly, I am enclosing a declaration (including all annexes pertinent thereto) for your review and signature. Please review the documents carefully and, when you are satisfied with their content, please execute the declaration and return the documents to this office. A pre-addressed postage paid envelope is enclosed for your convenience. Please do not hesitate to contact me if you have any questions regarding this letter, the declaration or any of the other enclosed documents.

Very truly yours,

~~George W. Hartnett, III~~

Enclosures
GWH/lrb
499034